



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ENVIRONMENTAL  
CLEANUP

July 24, 2012

**BY EMAIL AND  
OVERNIGHT UPS**

**Re: Request for Information Pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act and Section 3007(a) of the Resource Conservation and Recovery Act**

Mr. Brad Owens  
Director, Environmental Remediation  
Lockheed Martin Corporation  
6801 Rockledge Drive  
Bethesda, Maryland 20817

Dear Mr. Owens:

The U.S. Environmental Protection Agency, Region 10, seeks information about releases or the potential threat of a release of hazardous substances or hazardous waste at the Lockheed Martin Company (LMC) site known as the Martin Marietta Reduction Facility Superfund Site (Facility or Site), located in The Dalles, Oregon. The EPA is seeking more information about the Site pursuant to Section 104(e) of CERCLA, 42 U.S.C. § 9604(e) and Section 3007(a) of RCRA, 42 U.S.C. § 6927(a).

Under the provisions of Section 104(e) of CERCLA and 3007(a) of RCRA, the EPA may require persons subject to CERCLA and RCRA to furnish information necessary for the EPA to enforce provisions of the Acts. Pursuant to the EPA's authority set forth in Section 104(e) of CERCLA and Section 3007(a) of RCRA, LMC is hereby requested to submit the documentation requested in Enclosure I to this letter using the instructions included in Enclosure II. LMC is further requested to complete and submit the certification included as Enclosure III to this letter.

This request for information is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is not a "collection of information" within the meaning of 44 U.S.C. §§ 3502(3), 3507 and 3512. See also 5 C.F.R. §§ 1320.3(c), 1320.5 and 1320.6(a). Furthermore, this request is exempt from OMB review under the Paperwork Reduction Act because it is seeking information from a specific individual or entity. See 44 U.S.C. § 3518(c)(1); 5 C.F.R. § 1320.4.

EPA regulations governing confidentiality of business information are set forth in 40 CFR Part 2, Subpart B and allow you, for any portion of the information submitted which you claim is entitled to confidential treatment, to assert a confidentiality claim in accordance with the requirements of 40 CFR 2.203(b). If the EPA determines that the information so designated meets the criteria set forth in 40 CFR 2.208, the information will be disclosed only to the extent and by means of the procedures specified in 40 CFR Part 2, Subpart B. If no claim accompanies the information received by the EPA, it may be made available to the public by the EPA without further notice.

While the EPA seeks your voluntary cooperation with this investigation, compliance with the Information Request is required by law. Failure to respond fully and truthfully to the Information Request by the due date provided below may result in an enforcement action by the EPA. Under Section 104(e)(5)(B) of CERCLA, 42 U.S.C. § 9604(e)(5)(B), pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461, as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, the EPA is authorized to commence an action to assess civil penalties of not more than \$37,500 per day for each day of noncompliance against any person who unreasonably fails to comply with an Information Request. Under Section 3007(a) of RCRA, 42 U.S.C. § 6927(a), failure to respond fully and truthfully may result in an enforcement action against LMC by the EPA pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. This statute permits the EPA to seek the imposition of penalties of up to thirty-seven thousand five-hundred dollars (\$37,500) per day of continued non-compliance.

Please note that responses which are incomplete, ambiguous or evasive may be treated as non-compliant with this Information Request. Also, be further advised that provision of false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001 or to criminal penalties under Section 3008(d) of RCRA, 42 U.S.C. § 6928(d). You have an ongoing duty under this first Information Request to supplement your response with any additional information or documents that become available or known to you after you submit your response.

Your response to the Request for Information is due within **fifteen (15)** calendar days of your receipt of this letter. Please send the response by certified mail, return receipt requested, addressed to:

Mary Stroh Queitzsch  
Office of Regional Counsel (ORC-158)  
U.S. Environmental Protection Agency  
1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101

Thank you for your prompt attention to this matter. If you have any questions, please contact Mary Stroh Queitzsch, Assistant Regional Counsel at (206) 553-0145 or [queitzsch.mary@epa.gov](mailto:queitzsch.mary@epa.gov).

Sincerely,



Dennis Faulk, Program Manager  
Office of Environmental Cleanup

Enclosures

cc: C. Douglas Goins, Assoc. General Counsel, LMC  
Gene Matsushita, LMC  
CSC-Lawyers Incorporating Service Company, Registered Agent  
Lissa Druback, ODEQ  
Sheila Monroe, ODEQ  
Frederick Moore, ODEQ

## ENCLOSURE I

Pursuant to the EPA's authority under Section 104(e) of CERCLA and 3007(a) of RCRA, LMC is requested to submit to the EPA the following information within **fifteen (15) calendar days** from the date of this letter.

1. All inspection reports from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
2. All field inspection records, operation and monitoring reports including field notes from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
3. All operating records from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
4. All maintenance records from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
5. All records of repairs from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
6. All incident reports prepared by LMC and/or Arcadis for EPA, ODEQ, or for LMC or Arcadis from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
7. All manifests and associated records (including, but not limited to, waste characterization, waste acceptance) for wastes shipped offsite to any RCRA Subtitle C facility from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
8. All records pertaining to institutional controls, including, but not limited to, capping, fencing, vegetative cover, access control, deed restrictions, deed notices from January 1, 2000 to present for all landfills, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
9. All documents concerning assessment and/or evaluation of the integrity from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
10. All reports of flood, fire, or other natural or manmade disturbance(s) from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;

11. All current as-built drawings for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
12. All documents from January 1, 2000 to present concerning construction activities, physical modifications, and/or new objects at all landfills, scrubber sludge ponds, tanks, surface drainages, vents, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
13. All discharge monitoring reports from January 1, 2000 to present for any batch discharge from any tank, sump, drain, well, treatment system, discharge channel, or outfall to which LMC and/or Arcadis contributed effluent at, on or from the Site;
14. All liquid sampling data from January 1, 2000 to present from any and all tanks, sumps, drains, wells, treatment systems, discharge channels, outfalls, or associated ancillary equipment to which LMC and/or Arcadis contributed effluent at, on or from the Site;
15. All elevation surveys from January 1, 2000 to present for all groundwater monitoring wells and associated ancillary equipment owned and/or operated by LMC and/or Arcadis at the Site;
16. All monument elevations and surveys from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
17. All documents concerning and/or related to soil removal, well abandonment, waste removal, installation of new groundwater monitoring wells from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
18. All records pertaining to any building, tank, sump or feature that lifts, floats, or floods from January 1, 2000 to present owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
19. A written description of the purpose of the sump outside of the building enclosing the RCRA leachate collection sump and current as-built drawings for the sump;
20. All records concerning, related, or pertaining to treatment of a hazardous substance, hazardous waste or hazardous constituent from January 1, 2000 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site;
21. All documents concerning, related to, or pertaining to bench scale, pilot, and/or laboratory treatment studies, including, mass balance and/or efficiency for treatment of cyanide from January 1, 1995 to present for all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, groundwater monitoring wells, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site; and
22. All air sampling data from January 1, 1995 from all landfills, scrubber sludge ponds, tanks, sumps, surface drainages, vents, treatment systems, and associated ancillary equipment owned and/or operated and/or remediated by LMC and/or Arcadis at the Site.

## ENCLOSURE II

### INSTRUCTIONS AND DEFINITIONS

1. Answer Each Question Completely. Provide a separate answer to each question and subpart set forth in this Information Request. Incomplete, evasive, or ambiguous answers shall constitute failure to respond to this Information Request and may subject the Respondent to the penalties set out in the cover letter.

2. Response and Copies of Documents Must be on Paper (hard copy). Provide the responses to this Information Request and at least one copy of all requested documents on hard copy paper.

You may also provide a second copy of the response electronically on a compact disc, if you choose, in Portable Document Format (PDF) format. Limit the documents on each compact disc to under 150 documents and if possible, further format large documents as follows;

Bookmark documents longer than 10 pages for easier navigation (e.g., chapters);

Ensure that file/document properties/initial view is for "bookmarks panel and page" if there are bookmarks.

For document composed of multiple files, link together with a starter file that is less than 2 MB, i.e., the document's executive summary. The executive summary should have a bookmarks panel with bookmark links to the other files. Ensure that all files are saved to the same folder, rather than multiple folders so that the linkage is retained.

Bookmarks to other files should indicate the name of that file (and size of that file, if over 1 MB).

"Tag" the document for accessibility if this was not done by the source application (advanced/accessibility/tag).

Enter document properties: 1) title, author (should be XXXX for EPA Region 10), 2) subject, and 3) keywords.

3. Number Each Answer. Number each answer with the number of the question to which it corresponds.

4. Provide the Best Information Available. Provide responses to the best of your ability, even if the information sought was never put down in writing or if the written documents are no longer available. Seek out responsive information from current and former employees/agents/contractors/authorized representatives. Submission of cursory responses when other responsive information is available to you will be considered noncompliance with this Information Request.

5. Identify Information Source(s). For each question, identify all persons and documents and all contributing sources of information relied upon for the answer.

6. The signatory to the certification in Attachment III should be an officer or agent who is authorized to respond on behalf of the company or facility.

7. If you are unable to answer a request in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or

documentation in response to any request, state that person's name and last known address and phone number and the reasons for your belief.

8. If you cannot provide a precise answer to any request, please approximate and state the reason for your inability to be specific.

9. If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.

10. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.

11. The company and/or facility for the purposes of this Request for Information is the one to which this request for information is addressed.

12. Definitions. Unless otherwise specified, the following definitions shall apply to the following words as they appear in the letter, supra, and these Attachments.

(a) The term "you" or "Respondent" shall mean Lockheed Martin Corporation, its successors, officers, managers, employees, contractors, assigns, and agents.

(b) The terms "document" and "documents" shall mean any object that records, stores, presents, or transmits information. "Document" shall include, but not be limited to:

(i) writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including (by way of illustration and not by way of limitation) any of the following:

(A) e-mail, letter, correspondence, fax, telegram, postcard;

(B) record book, minutes, memorandum of meetings and telephone and other conversations, telephone messages, intra or interoffice communications;

(C) log book, diary, calendar, desk pad, journal, scrapbook;

(D) bulletin, circular, form, pamphlet, statement;

(E) report, notice, analysis, notebook;

(F) graph, chart;

(G) data,

(H) copy of any document.

(ii) microfilm or other film record, photograph, or sound recording on any type of device;

(iii) any tape, disc, or other type of memory generally associated with computers and data processing, together with:

(A) the programming instructions and other written material necessary to use such disc, or disc pack, tape or other type of memory; and

(B) printouts of such disc, or disc pack, tape or other type of memory if not readily viewable using Microsoft Word, Excel, or as a pdf; and

(iv) attachments to, or enclosures with, any document as well as any document referred to in any other document.

(c) The term "identify" or "provide the identity of" means, with respect to a document, to provide: (1) its customary business description (e.g., letter, invoice); (2) its date; (3) its number

if any (e.g., invoice or purchase order number); (4) the identity of the author, addressor, addressee, and/or recipient; and (5) a summary of the substance or the subject matter. Alternatively, Respondent may provide a copy of the document.

(d) The term "identify" means, with respect to a natural person, to set forth: (a) the person's full name, (b) present or last known business and home addresses and telephone numbers; and (c) present or last known employer (include full name and address) with job title, position, or business.

(e) The term "identify" means, with respect to a corporation, partnership, business trust, or other entity, to set forth: (a) its full name; (b) complete street address; (c) legal form (e.g., corporation, partnership, etc.); (d) the state under whose laws the entity was organized; and (e) a brief description of its business.

(f) The terms "and" and "or" shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of this information request any information which might otherwise be construed to be outside its scope.

(g) Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular request or requests





### **ENCLOSURE III**

#### **CERTIFICATION OF ANSWERS TO RESPONSES TO REQUEST FOR INFORMATION**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, that the submitted information is true, accurate and complete, and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name (print or type): \_\_\_\_\_

Title (print or type) :

